

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK-----x
In re:Orion HealthCorp, Inc., *et al.*,

Debtors.

Chapter 11

Case No. 18-71748-67 (AST)
Case No. 18-71789 (AST)
Case No. 18-74545 (AST)
(Jointly Administered):-----x
Orion HealthCorp, Inc., *et al.*,

Plaintiffs,

v.

Parmjit Singh Parmar, *aka* Paul Parmar, *et al.*,

Defendants.

Adv. Pro. No. 18-08053 (AST)

-----x
Howard M. Ehrenberg in his capacity as Liquidating
Trustee of Orion Healthcorp, Inc., *et al.*,

Plaintiffs,

v.

Howard M. Schoor,

Defendant.

Adv. Pro. No. 20-08042 (AST)

-----x
Howard M. Ehrenberg in his capacity as Liquidating
Trustee of Orion Healthcorp, Inc., *et al.*,

Plaintiffs,

v.

American Express Travel Related Services Company,

Defendant.

Adv. Pro. No. 20-08044 (AST)

-----x
Howard M. Ehrenberg in his capacity as Liquidating
Trustee of Orion Healthcorp, Inc., *et al.*,

Plaintiffs,

v.

John Johnston, *et al.*,

Defendants.

Adv. Pro. No. 20-08046 (AST)

-----x
Howard M. Ehrenberg in his capacity as Liquidating
Trustee of Orion Healthcorp, Inc., *et al.*, :
Plaintiffs, :
v. :
: :
Elena Sartison, *et al.*, :
Defendants. :
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**ORDER SETTING PRE-TRIAL CONFERENCES BY VIDEO CONFERENCE
AND ESTABLISHING RELATED DEADLINES**

In accordance with Eastern District of New York Administrative Order No. 2020-22 et seq.

re: Restrictions on Visitors to Courthouses, and in order to protect the health and safety of the public, Judge Trust is adopting the following video conference procedures, and **ORDERS** as follows:

Pending before the Court are Pretrial Conferences in the above captioned Adversary Proceedings (each a “Matter”).

1. **MEDIATION**. Pursuant to EDNY Local Bankruptcy Rule 9019-1, the Court may order mediation *sua sponte* or upon the request of one or more Parties. The Court may determine which Parties shall participate in the mediation. If a Matter is assigned to mediation, the parties shall comply with all applicable pleading, discovery, and other deadlines and scheduling requirements.
2. **HEARING AND ALLOCATION OF TIME**. The Court will hold Pretrial Conference in each of the Matters by video conference on **March 16, 2021** **commencing at 10:00 a.m. (each a “Hearing”)** at United States Bankruptcy Court, Eastern District of New York, Courtroom 960, 290 Federal Plaza, Central Islip, New York 11722.
3. **VIDEO CONFERENCE**. The Hearing will take place on the Cisco WebEx (“WebEx”) platform, which provides for full video conference capacity as well as for separate audio only capacity. The following is the registration link for the Hearing:

Tuesday, March 16, 2021
10:00 am | Eastern Daylight Time (New York, GMT-04:00) | 4 hrs

Registration link for video appearances:

<https://us-courts.webex.com/us-courts/j.php?RGID=r2d7dca8f182986cb408c5b5cdf848945>

Join by meeting number

Meeting number (access code): 180 857 7870

Meeting password: 03162021

Join by phone for audio only:

+1-206-207-1700 United States Toll (Seattle)

+1-646-992-2010 United States Toll (New York City)

All counsel shall register for the Hearing and conduct a pre-hearing test of the WebEx platform using the same equipment that they intend to use during the Hearing, no later than **two (2) business days** before the Hearing; this test shall not be with the Court. In addition, all parties are to log in or dial in to the Hearing no less than **thirty (30) minutes** prior to the Hearing, and place their audio lines on mute. Please consult your IT personnel if you have any problems registering or logging in for the Hearing. For additional help go to <http://help.webex.com> and see information posted on Judge Trust's procedures web page.

4. **PRIOR NOTICE OF INTENT TO PARTICIPATE; LIMIT ON PARTICIPATION BY VIDEO; TELEPHONE PARTICIPATION.** In addition to registering for the Hearing, all persons wishing to participate in the Hearing by video shall send an email to ast_hearings@nyeb.uscourts.gov at least **two (2) business days** in advance of the Hearing to identify the parties that will appear. Such email shall state in the Re section the adversary and/or main case number(s) in which the party(s) shall participate, and the date of the Hearing; the body of the email shall include the full name and electronic mail address of the proposed participant(s) and the party(s) represented, and whether the party shall appear by audio only or by audio and video. The parties are directed to limit video conference participation to those who are necessary to address the Matters. If the number of persons wishing to participate in the video conference, in the Court's view, exceeds the number which would permit the efficient, stable, and reliable transmission of the Hearing by video conference, the Court may require that certain persons be permitted to participate in the Hearing only by audio. **Only the Parties who have timely filed papers in connection with the Matters and who timely and fully comply with this Order may participate in the Hearing.**

5. **PUBLIC ACCESS.** The Hearing scheduled by this Order is a public matter. Parties-in-interest and the general public are invited to listen to the Hearing by audio only in listen only mode. Any person wishing to listen to the Hearing shall follow the instructions posted pursuant to paragraphs 5 and 7 hereof and dial in using the following numbers:

Join by phone for audio only:

+1-206-207-1700 United States Toll (Seattle)
+1-646-992-2010 United States Toll (New York City)

6. **CONDUCT DURING HEARING.**

Although conducted using video conferencing technology, the Hearing is a court proceeding. The formalities of the courtroom shall be strictly observed. Counsel who appear on the video shall dress appropriately, exercise civility, and otherwise conduct themselves in a manner consistent with the dignity of the Court. In the interest of public safety, counsel are directed to refrain from participating either by audio or video while operating a vehicle. At all times when not addressing the Court, counsel are directed to place the connection on "mute" to prevent background noise from being heard. When speaking, you must announce who you are each time before speaking, speak up and enunciate so that you can be heard and understood. In addition, the parties are to avoid the use of a speaker phone (use a landline if possible).

The Court reserves the right to remove from the Hearing any participant who fails to observe the formalities and decorum of the courtroom by disconnecting his or her line and/or video feed after due warning by either Judge Trust or his Courtroom Deputy. Such person will not be permitted reentry for the remainder of the Hearing.

7. **RECORDING PROHIBITED; OFFICIAL RECORD.** No person may record the proceedings from any location by any means. The audio recording maintained by the Court shall be the sole basis for creation of a transcript that constitutes the official record of the Hearing.

8. **SETTLEMENT.** If the Matters are settled, the parties shall submit to the Court a stipulation approved by all parties and a motion for approval of the same no less than **two (2) business days** prior to the date of the Hearing, along with an email to ast_hearings@nyeb.uscourts.gov, notifying the Court of the proposed settlement. **If a stipulation and motion are not timely submitted to the Court, all parties shall be prepared to proceed with the Hearing.** If the Hearing is removed from the calendar based upon the announcement of a settlement, the Hearing will not be reset for if the parties fail to consummate the settlement. In such event, the Court will consider only a motion to enforce the settlement, unless the sole reason the settlement is not consummated is that the Court did not approve the settlement, in which case the Hearing will be reset for hearing at a later date.

9. **SANCTIONS**. Failure to appear at the Hearing or to comply with any provision of this Order may result in appropriate sanctions in accordance with Bankruptcy Rules 1001, 7016, 7037 and 9014, including the award of attorney's fees, striking of papers, exclusion of exhibits or witnesses, or the granting or denial of any of the Matters.
10. **CONTINUANCES**. Continuances of the Hearing or any deadlines set forth in this Order must be requested by written motion. Any request for continuance or amendment to this order shall set forth the status of discovery and shall state the reasons why the party or parties seek a continuance.
11. **SERVICE**: Plaintiffs shall serve a copy of this Order on all appropriate parties within **two (2) business days** following entry of this Order, and file a certificate of service thereof within **two (2) business days** thereafter, as required by this Court's Local Rules.

Dated: March 4, 2021
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge